

Senate Study Bill 3080

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
PUBLIC HEALTH/BOARD OF
PHARMACY EXAMINERS BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the regulation and practice of pharmacy,
2 including providing for the establishment of a limited drug
3 and device distributor license, and making technical
4 corrections.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
6 TLSB 5302DP 81
7 rn/je/5

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1 1 Section 1. Section 155A.3, subsection 5, Code Supplement
1 2 2005, is amended to read as follows:
1 3 5. "College of pharmacy" means a school, university, or
1 4 college of pharmacy that satisfies the accreditation standards
1 5 of the ~~American accreditation council on pharmaceutical for~~
1 6 ~~pharmacy education as to the extent those standards are~~
1 7 adopted by the board, or that has degree requirements which
1 8 meet the standards of accreditation adopted by the board.
1 9 Sec. 2. Section 155A.3, Code Supplement 2005, is amended
1 10 by adding the following new subsections:
1 11 NEW SUBSECTION. 22A. "Limited drug and device
1 12 distributor" means a person operating or maintaining, either
1 13 within or outside this state, any location in which
1 14 prescription drugs, prescription devices, or medical gases are
1 15 distributed to patients in this state pursuant to a
1 16 prescription drug order. A "limited drug and device
1 17 distributor" does not include a pharmacy licensed pursuant to
1 18 this chapter or a drug wholesaler providing prescription drugs
1 19 to patients in this state pursuant to a drug manufacturer's
1 20 prescription drug assistance program.
1 21 NEW SUBSECTION. 23A. "Medical gas" means those gases and
1 22 liquid oxygen intended for human consumption.
1 23 Sec. 3. Section 155A.4, subsection 2, Code Supplement
1 24 2005, is amended by adding the following new paragraph:
1 25 NEW PARAGRAPH. h. A limited drug and device distributor,
1 26 licensed by the board, to distribute prescription drugs,
1 27 prescription devices, or medical gases to patients in this
1 28 state pursuant to rules adopted by the board.
1 29 Sec. 4. Section 155A.9, subsection 1, Code 2005, is
1 30 amended to read as follows:
1 31 1. A college of pharmacy shall not be approved by the
1 32 board unless the college is accredited by the ~~American~~
1 33 ~~accreditation council on pharmaceutical for pharmacy~~
1 34 education.
1 35 Sec. 5. NEW SECTION. 155A.42 LIMITED DRUG AND DEVICE
2 1 DISTRIBUTOR LICENSE.
2 2 1. A person shall not act as a limited drug and device
2 3 distributor as defined in this chapter without a license. The
2 4 license shall be identified as a limited drug and device
2 5 distributor license.
2 6 2. The board shall establish standards for limited drug
2 7 and device distributors and may define specific types of
2 8 limited drug and device distributors. The board may deny,
2 9 suspend, or revoke a limited drug and device distributor's
2 10 license for failure to meet the applicable standards or for a
2 11 violation of the laws of this state, another state, or the
2 12 United States relating to prescription drugs or controlled
2 13 substances, or for a violation of this chapter, chapter 124,
2 14 124A, 124B, 126, 147, or 205, or a rule of the board.

2 15 3. The board shall adopt rules pursuant to chapter 17A on
2 16 matters relating to the issuance of a limited drug and device
2 17 distributor license. The rules shall provide for conditions
2 18 of licensure, compliance standards, licensure fees,
2 19 disciplinary action, and related matters.

2 20 EXPLANATION

2 21 This bill relates to the regulation and practice of
2 22 pharmacy.

2 23 The bill provides a definition of a "limited drug and
2 24 device distributor" and provides for the establishment of a
2 25 limited drug and device distributor license, including the
2 26 establishment of compliance standards and requirements unique
2 27 to the operations of those businesses. "Limited drug and
2 28 device distributor" is defined as a person operating or
2 29 maintaining, either within or outside Iowa, any location in
2 30 which prescription drugs, prescription devices, or medical
2 31 gases are distributed to patients within Iowa pursuant to a
2 32 prescription drug order. The definition provides that a
2 33 limited drug and device distributor does not include a
2 34 licensed pharmacy or a drug wholesaler providing prescription
2 35 drugs to patients in Iowa pursuant to a drug manufacturer's
3 1 prescription drug assistance program.

3 2 Additionally, the bill corrects references to the American
3 3 council on pharmaceutical education pursuant to the council's
3 4 recent name change to the accreditation council for pharmacy
3 5 education.

3 6 LSB 5302DP 81

3 7 rn:nh/je/5.1